

City of Rialto

*Council Chambers
150 S. Palm Ave.
Rialto, CA 92376*



Regular Meeting

ACTION AGENDA

Tuesday, September 23, 2014

5:00 PM

**CITY COUNCIL, City of Rialto, acting as Successor Agency to the
Redevelopment Agency, RIALTO UTILITY AUTHORITY**

City Council

*Mayor Deborah Robertson
Mayor Pro Tem Edward Palmer
Council Member Joe Baca Jr.
Council Member Shawn O'Connell
Council Member Lynn Hirtz
Barbara A. McGee City Clerk
Edward Carrillo City Treasurer
Fred Galante City Attorney
Mike Story City Administrator*

Members of the public are afforded an opportunity to speak on any listed agenda item. Please notify the City Clerk if you wish to do so. All agendas are posted in the City Hall Administration Building (150 South Palm Avenue, Rialto) at least 72 hours in advance of the meeting. All writings that relate to an agenda item for an open session of a regular meeting of the City Council distributed to all, or a majority, of the Council Members also shall be made available, at the same time but not sooner than 72 hours before a regular meeting, for public inspection in the Office of the City Clerk located at 290 West Rialto Avenue, Rialto, California (909-820-2519) from 7:00 a.m. to 6:00 p.m., Mondays through Thursdays, and on the City's website at www.rialto.ca.gov. Any person having a question concerning any agenda item may call the City Clerk's office to make inquiry concerning the nature of the item described on the agenda.

Based upon the open meeting laws (the Brown Act), additional items may be added to the agenda and acted upon by the City Council only if it is considered to be a "subsequent need" or "emergency" item and is added by a two-thirds vote. Matters raised under Oral Communications may not be acted upon at that meeting other than as provided above.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Director of Public Works at (909) 421-7279. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting (28 CAR 35.102-35.104 ADA Title II).

Next Ordinance No.1552

Next Resolution No.6645

Called to Order By:

ROLL CALL

Rialto – Entering a Second Century of Progress

- *Rialto will be a Family First Community*
- *Rialto Shall Attract High-Quality Development and Improve its Physical Environment*
- *Rialto's Economic Environment will be Healthy and Diverse*
- *Rialto will be an Active Community*

All items listed on this agenda are being considered and/or acted upon by the City Council on behalf of the City of Rialto, except for such items as are designated by the "RUA," "RHA," which items are being considered and/or acted upon by the Members of the Rialto Utility Authority or Rialto Housing Authority of the City of Rialto in its separate legal capacity. For convenience and ease of administration only, the agendas for each separate legal body have been consolidated herein

5:00 p.m.

CLOSED SESSION

- 1 Conference with Legal Counsel - Anticipated Litigation: The City Council will discuss the following pending litigation(s) pursuant to Government Code Section 54956.9(d)(2):
 - (a) Mayra Denise Castillo v. City of Rialto
File No. 1883964: DOL 01/30/2014
- 2 Conference with Legal Counsel - Existing Litigation: The City Council will discuss the following pending litigation(s) pursuant to Government Code Section 54956.9(d)(1):
 - (a) San Bernardino Flood Control District v. State of California ex rel. Dept. of Transportation
S.D. Superior Court Case No. 37-2009-00082535-CU
 - (b) City of Rialto v. City of Fontana, et al. and related case
S.B. Superior Court Case No. CIVDS1402525
- 3 Conference with Labor Negotiator regarding the following recognized employee organization pursuant to Government Code Section 54957.4:

Agency designated representatives:
Fred Galante, City Attorney
George Harris, Administrative and Community Services Director

Employee organizations:
Rialto Mid-Management & Confidential Employees Association

4

Conference with Real Property Negotiator. The City Council will confer with its real property negotiator concerning the following properties pursuant to Government Code Section 54956.8:

1. Subject: Price and Terms - Acquisition of Real Property
Location: APN#0132-012-07
Negotiators: Marcus Fuller, Public Works Director/City Engineer
Opine Rialto, LLC
2. Subject: Price and Terms - Acquisition of Real Property
Location: APN#0132-112-06
Negotiators: Marcus Fuller, Public Works Director/City Engineer
Golden Towers Properties, LLC
3. Subject: Price and Terms - Acquisition of Real Property
Location: APN#0132-092-01
APN#0132-252-01
Negotiators: Marcus Fuller, Public Works Director/City Engineer
Ross Land Holdings Rialto
4. Subject: Price and Terms - Acquisition of Real Property
Location: APN#0132-171-03
Negotiators: Marcus Fuller, Public Works Director/City Engineer
Irvin O. Thompson
5. Subject: Price and Terms - Acquisition of Real Property
Location: APN#0132-191-09
Negotiators: Marcus Fuller, Public Works Director/City Engineer
Whiting Roll-Up Doors, Mfg.
6. Subject: Price and Terms - Acquisition of Real Property
Location: APN#0132-181-01
Negotiators: Marcus Fuller, Public Works Director/City Engineer
James G. Turner, Albert Carroll
7. Subject: Price and Terms - Acquisition of Real Property
Location: APN#0132-221-04
Negotiators: Marcus Fuller, Public Works Director/City Engineer
Inta & Douangaly Chanthavongsouk
8. Subject: Price and Terms - Acquisition of Real Property
Location: APN#0254-021-34
Negotiators: Marcus Fuller, Public Works Director/City Engineer
Rialto Industrial Business Park, LLC

9. Subject: Price and Terms - Acquisition of Real Property
Location: APN#0254-021-31
Negotiators: Marcus Fuller, Public Works Director/City Engineer
Mohammad Nejad, Afarin Rahmani

6:00 p.m.

Called to Order By:

ROLL CALL

PLEDGE OF ALLEGIANCE-Council Member Lynn Hirtz

INVOCATION-Joel Booker, Inland Lighthouse Church

City Attorney's Report on Closed Session

PRESENTATIONS AND PROCLAMATIONS

- 1 Proclamation-Rialto Fire Open House-Mayor Robertson
- 2 Proclamation-Mining Awareness Week-Mayor Robertson
- 3 Proclamation-National Breast Cancer Awareness Month
Mayor Robertson
- 4 Certificate of Recognition-30th Anniversary Brothers Pizza
Council Member O'Connell
- 5 Presentation-FY 2013-2014 Recreation Commission Annual Report
Chairperson Britt

ORAL COMMUNICATIONS

City Council to consider removing or continuing any items on the agenda

NOTICE TO THE PUBLIC

All matters listed under Consent Calendar are considered to be routine by the City Council and will be enacted by one motion in the following form listed. There will be no separate discussion on these items. If discussion is required, the item will be removed from the Consent Calendar and will be considered separately. Vote may be by roll call.

CONSENT CALENDAR**A. WAIVE FULL READING OF ORDINANCES**

1. Waive reading in full, all ordinances considered at this meeting.

B. APPROVAL OF WARRANT RESOLUTIONS (ACTION)

B.1 Resolution No. 10 (09/12/14)

B.2 Resolution No. 11 (09/12/14)

C. APPROVAL OF MINUTES

C.1 Regular City Council Meeting - September 09, 2014

D. MISCELLANEOUS

D.1 Request City Council to Approve a Purchase Order for annual extended warranty and preventive maintenance for the Fire Departments Autopulse's and Cardiac monitors/Defibrillators to Zoll Medical Corporation in the amount of \$24,793.25

D.2 Request City Council to Authorize the Purchase of Peacekeeper Rapid Containment Batons and Baton Holsters in the Amount of \$17,231.67.

D.3 Request City Council to Accept the acquisition of a Community Emergency Response Team (CERT) training trailer at no cost from the Urban Areas Security Initiative (UASI) program.

D.4 Request City Council to Approve the Construction Plans and Contract Specifications and to Authorize the Release of Request for Bids No. 15-018 for the Johnson Center Gym HVAC Replacement Project, City Project No. 150204.

D.5 Request City Council to Approve the Community Garden Lease Agreement with Grace Lutheran Church.

D.6 Request City Council to Receive and File the Statement of Income and Expenses related to the Airport Escrow Account for August 2014.

D.7 Request City Council to Approve travel and training request for Mayor Deborah Robertson to attend the 2014 Southern California Energy Summit, October 9-10.

D.8 Request City Council to Approve Utility Easements for the Riverside/Easton Retail Development Site.

- D.9** Request City Council to Accept the 2012/13 & 2013/14 Annual Curb, Gutter and Sidewalk Improvement Project, City Project No. CB1404 and CB1204, and Eucalyptus Avenue Widening Project, City Project No. 140808.
- D.10** Request City Council to Accept the Police Station & Human Resources Facilities Remodel, City Project CB1303 & 140204.
- D.11** Request City Council to Accept the Highway Safety Improvement Program Project (Citywide Pedestrian Signal Head Upgrade), City Project No. 120809, Federal Aid Project No. HSIPL 5205 (017)
- D.12** Request City Council to Adopt **Resolution No. 6638** to Revise Policy on Travel Reimbursement of Expenses of Elected and Appointed Officials.
- D.13** Request that City Council Approve **Resolution No. 6639** Excusing Human Relations Commissioner Judy Combs from Absences from the Human Relations Commission Meetings
- D.14** Request City Council to Approve travel and training request for Mayor Deborah Robertson and Council Member Lynn Hirtz to attend the National League of Cities Annual Congress of Cities and Exposition in Austin, Texas, November 18-22, 2014.

Motion by Mayor Pro Tem Palmer, second by Council Member Baca Jr., and carried by unanimous vote to approve the Consent Calendar except for items D.8 and D.12.

AYES: Mayor Robertson, Council Members: Mayor Pro Tem Palmer, Baca Jr., O'Connell, Hirtz

NOES: None

ABSENT: None

Motion by Mayor Pro Tem Palmer, second by Council Member Baca Jr., and carried by unanimous vote to approve item D.8 as amended to adopt Resolution No. 6645 approving utility easements for the Riverside/Easton Retail Development site.

AYES: Mayor Robertson, Council Members: Mayor Pro Tem Palmer, Baca Jr., O'Connell, Hirtz

NOES: None

ABSENT: None

Motion by Council Member O'Connell, second by Mayor Pro Tem Palmer, and carried by unanimous vote to approve item D.12.

AYES: Mayor Robertson, Council Members: Mayor Pro Tem Palmer, Baca Jr., O'Connell, Hirtz

NOES: None

ABSENT: None

TAB PUBLIC HEARING

TAB1 Request City Council to Conduct a Public Hearing to Consider and Approve Substantial Amendment No. 1 to the City's 2014-2015 CDBG Annual Action Plan and Adopt **Resolution No. 6640** Amending the 2014-2015 Fiscal Year Budget Appropriating \$157,986 for the Maple Avenue Improvement, City Project No. cb1504, from the Measure I Fund.

(ACTION)

Motion by Council Member O'Connell, second by Mayor Pro Tem Palmer and carried by 4-1 vote to deny approval of the substantial amendment No. 1. Council Member Baca Jr. voted no.

AYES: Mayor Robertson, Council Members: Mayor Pro Tem Palmer, O'Connell, Hirtz

NOES: Council Member Baca Jr.

ABSENT: None

TAB NEW BUSINESS

TAB2 Request City Council to Approve **Resolution No. 6641** for a Professional Services Agreement Extension with ClientFirst for One Year for \$33,000 per Month to Provide Information Technology Systems Services and Support for \$396,000 and an additional \$14,400 per month for Project Management Services or an additional \$172,800 per year, for a total not to exceed of \$568,800.

(ACTION)

Motion by Council Member O'Connell, second by Mayor Pro Tem Palmer, and carried by unanimous vote to approve Tab 2 as amended to remove the Project Management Services portion of the agreement.

AYES: Mayor Robertson, Council Members: Mayor Pro Tem Palmer, Baca Jr., O'Connell, Hirtz

NOES: None

ABSENT: None

TAB3

Request City Council to Adopt **Resolution No. 6642** directing staff to analyze the proposed Revisions to the Renaissance Specific Plan.

(ACTION)

Motion by Mayor Pro Tem Palmer, second by Mayor Robertson, and carried by 4-1 vote to approve Tab 3. Council Member Baca Jr., voted no.

AYES: Mayor Robertson, Council Members: Mayor Pro Tem Palmer, Baca Jr., O'Connell, Hirtz

NOES: None

ABSENT: None

TAB4

Request City Council, Acting as the Successor Agency to the Redevelopment Agency for the City of Rialto, to Adopt **Resolution No. SA-22** approving the Recognized Obligation Payment Schedule known as ROPS 14-15B for the Period of January 1, 2015 to June 30, 2015.

(ACTION)

Motion by Mayor Pro Tem Palmer, second by Council Member Baca Jr., and carried by unanimous vote to approve Tab 4.

AYES: Mayor Robertson, Council Members: Mayor Pro Tem Palmer, Baca Jr., O'Connell, Hirtz

NOES: None

ABSENT: None

TAB5

Request City Council, Acting as the Successor Agency, to Adopt Budget **Resolution No. 6643** Appropriating Funding from the 2005 Series A Tax Allocation Bond Issue for the Ayala Drive Improvement Project, the Riverside/San Bernardino Street Improvement Project, and the Foothill Boulevard Traffic Signal Project.

(ACTION)

Motion by Council Member Baca Jr., second by Council Member Hirtz, and carried by unanimous vote to approve Tab 5 as amended.

AYES: Mayor Robertson, Council Members: Mayor Pro Tem Palmer, Baca Jr., O'Connell, Hirtz

NOES: None

ABSENT: None

TAB6

Request City Council to Approve a Purchase Order to Veolia Water West Operating Services, Inc. in the Amount of \$380,118 for the Groundwater Testing for the City Well No. 3A Replacement Project, City Project No. 090400.

(ACTION)

Motion by Mayor Pro Tem Palmer, second by Council Member Baca Jr., and carried by unanimous vote to approve Tab 6

AYES: Mayor Robertson, Council Members: Mayor Pro Tem Palmer, Baca Jr., O'Connell, Hirtz

NOES: None

ABSENT: None

TAB7

Request the City Council/Rialto Utility Authority to Approve a Final Construction Work Authorization in the amount of \$390,246 to Rialto Water Services for the Recurring Capital Project (Meter Replacements), Concession Agreement Capital Recurring Project WA.

(ACTION)

Motion by Council Member O'Connell, second by Council Member Hirtz, and carried by unanimous vote to continue the item until next regular City Council meeting.

AYES: Mayor Robertson, Council Members: Mayor Pro Tem Palmer, Baca Jr., O'Connell, Hirtz

NOES: None

ABSENT: None

TAB8

Request City Council to Authorize an Increase in the amount of \$62,500 to the Purchase Order to Lockwood Engineering Company for a total Purchase Order amount of \$142,500 for Temporary Staffing Services for the Public Works Department.

(ACTION)

Motion by Council Member Hirtz, second by Mayor Pro Tem Palmer, and carried by unanimous vote to approve Tab 8.

AYES: Mayor Robertson, Council Members: Mayor Pro Tem Palmer, Baca Jr., O'Connell, Hirtz

NOES: None

ABSENT :None

TAB9

Request City Council to Adopt **Resolution No. 6644** Amending the 2014/2015 Fiscal Year Budget in the amount of \$407,786 and Adopting the 2015/2016 through 2019/2020 Measure I Five Year Capital Project Needs Analysis (CPNA) for the Major Street-Arterial Sub-Program.

(ACTION)

Motion by Mayor Pro Tem Palmer, second by Council Member O'Connell, and carried by unanimous vote to approve Tab 9.

AYES: Mayor Robertson, Council Members: Mayor Pro Tem Palmer, Baca Jr., O'Connell, Hirtz

NOES: None

ABSENT: None

TAB10

Request City Council to Approve an Agreement for Sale of Conservation Credits for the Colton Dunes Conservation Bank and Credit Receipt with CalMat Co., dba Vulcan Materials Company, West Region, in the amount of \$250,000 for the San Bernardino Avenue, Riverside Avenue, Willow Avenue, and Valley Boulevard Street Improvements Project, City Project No. 130801.

(ACTION)

Motion by Mayor Pro Tem Palmer, second by Council Member O'Connell, and carried by unanimous vote to approve Tab 10.

AYES: Mayor Robertson, Council Members: Mayor Pro Tem Palmer, Baca Jr., O'Connell, Hirtz

NOES: None

ABSENT: None

REPORTS

MAYOR:

COUNCIL MEMBERS:

CITY ATTORNEY:

CITY ADMINISTRATOR:

ADJOURNMENT